

EXECUTIVE OFFICER SUMMARY REPORT
May 21, 2004

ITEM: 6

SUBJECT: **DEPUTY ATTORNEY GENERAL'S REPORT**
Privacy Policy: Discussion and possible action on tentative Resolution 04-04. (Hayley Peterson)

PURPOSE: Consider adoption of tentative Resolution 04-04.

DISCUSSION: Government Code section 11019.9 requires each state agency to adopt a privacy policy in adherence with the Information Practices Act of 1977 (Civ. Code, sec. 1798 et seq.). The policy must include the following principles: (a) personally identifiable information may be obtained only through lawful means; (2) purposes for which personally identifiable data are collected must be specified and use must be limited to such purposes; (3) personal data may not be disclosed for a purpose other than specified without the consent of the subject of the data or as otherwise required by law or regulation; (4) personal data collected shall be relevant to the purpose for which it is needed; and (5) general means by which personal data shall be protected shall be posted unless disclosure would compromise legitimate agency objectives or law enforcement purposes. Government Code section 11011.9 sets forth additional requirements for implementing the policy, including a requirement that the policy be posted.

Adoption of Resolution 04-04 will bring the Conservancy into compliance with Section 11011.9.

LEGAL CONCERNS: See above discussion.

FISCAL IMPACT: None.

SUPPORTING DOCUMENTS: Tentative Resolution 04-04.

RECOMMENDATION: Adopt Resolution 04-04.